

increase the membership of the Board of Directors and require that each State in the service area of the Tennessee Valley Authority be represented by at least 1 member.

S. 2273

At the request of Ms. SNOWE, the names of the Senator from New Hampshire (Mr. SUNUNU), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Vermont (Mr. LEAHY), the Senator from New York (Mr. SCHUMER), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 2273, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Act of 1981 program for fiscal year 2006, and for other purposes.

S.J. RES. 28

At the request of Mr. STEVENS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S.J. Res. 28, a joint resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower.

S. CON. RES. 71

At the request of Mr. DEWINE, his name was added as a cosponsor of S. Con. Res. 71, a concurrent resolution expressing the sense of Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

S. RES. 313

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 313, a resolution expressing the sense of the Senate that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. DORGAN, Mr. JOHNSON, and Mr. LAUTENBERG):

S. 2277. A bill to promote accountability and prevent fraud in Federal contracting; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, this week marks five months since President Bush stood in Jackson Square in New Orleans and promised, "Through-out the area hit by the hurricane, we will do what it takes, we will stay as long as it takes, to help citizens rebuild their communities and their lives."

America must keep that promise, and we must do so responsibly. So today, I am introducing a proposal to ensure

that from here on out, federal reconstruction dollars needed to rebuild the Katrina-ravaged Gulf Coast—and Iraq—are not awarded to companies with histories of cheating American taxpayers.

My bill, the Reconstruction Accountability and Anti-Fraud Act, will promote accountability and prevent fraud in two of the largest reconstruction projects ever undertaken by the United States.

Under my proposal, firms that have cheated American taxpayers by overcharging, improperly billing or defrauding the government of more than \$10 million over the last five years will be ineligible to compete for reconstruction work in either the Gulf Coast or Iraq.

Katrina is a national tragedy and rebuilding Iraq is a national responsibility, and neither should be an opportunity for profiteering.

Firms that have misused Iraq construction funds should be held accountable—not rewarded with no-bid contracts to rebuild the Gulf Coast.

Sadly, we've already seen examples of just that sort of misuse of taxpayer dollars.

New Orleans was still waist-deep in flood waters when Halliburton and its subsidiary, Kellogg, Brown & Root, were awarded some of the first multi-billion dollar no-bid contracts for Katrina reconstruction work. The companies received those contracts despite repeatedly overcharging the government for work in Iraq.

Listen to these abuses: In 2004, Halliburton was found to have overcharged the Defense Department by \$167 million to import gasoline into Iraq from Kuwait.

A year later, a Pentagon audit revealed another \$108 million in overcharges by KBR, a Halliburton subsidiary, for delivering gasoline to Iraq.

In 2003, KBR overcharged the government \$27.4 million over 9 months for meals at five military bases in Iraq and Kuwait, where they billed the government for an average of 42,000 meals a day but served only 14,000 meals a day.

Last month, former KBR employees testified at a Senate Democratic Policy Committee hearing that water provided by KBR to thousands of U.S. troops in Iraq contained twice as much fecal coliform and other harmful bacteria as untreated water from the Euphrates River.

Yet incredibly, instead of banning Halliburton and KBR from competing from Katrina reconstruction work, the Bush administration awarded these same companies multibillion dollar no-bid contracts for Katrina work.

Not only that, many of the contracting practices blamed for wasteful spending in Iraq—including the "cost-plus" provisions that guarantee profits to contractors no matter how much they charge, or how well or poorly they perform—are being used in the gulf coast.

American taxpayers and the people of the gulf coast can't afford reconstruc-

tion based on the Halliburton business model of waste, fraud, and abuse. We must increase oversight and accountability in Iraq, and we must demand the same accountability here at home.

A growing number of reports demonstrate why this bill is needed.

Since November 2003, Congress has appropriated \$21 billion for Iraq reconstruction and relief. On a bipartisan basis, this Congress has given the President everything he has asked for to support his ambitious plans to rebuild Iraq.

Earlier this week, Stuart Bowen, the Special Inspector General for Iraq Reconstruction, told the Senate Armed Services Readiness Subcommittee that nearly all of that money is either spent or obligated, and what remains, "will not permit completion of all projects that were envisioned."

We know how dangerous Iraq has become, not only for our troops but also for everyone involved in reconstruction. Dangerous conditions there have caused many setbacks and delays, and they have forced USAID, the Department of State, and others to devote increasing amounts of money to security, rather than reconstruction. Security is and will remain a serious problem, but it is by no means the only reason that the United States Government has spent billions of dollars for Iraqi reconstruction—and Iraq still struggles to rebuild.

The reports of the Special Inspector General for Iraqi Reconstruction fully address the serious security challenges our men and women in Iraq face today, and every day, but they also paint a grim picture of conditions in Iraq, and of poor planning, execution, and oversight of reconstruction efforts by the administration.

Let me be very clear: These failings are not the fault of our troops or of the men and women of USAID, of the Department of State, and other agencies that are risking their lives and working heroically to help the Iraqi people rebuild their shattered nation and create a better future, and they deserve our thanks and respect.

The Special Inspector General found that the CPA—the Coalition Provisional Authority—burned through nearly \$100 million in Development Fund for Iraq money with few records to show for how that money was spent. In many instances, the money simply vanished. That is simply inexcusable.

In the town of Hillah, for example, the Special Inspector General found that the CPA left \$7 million worth of projects uncompleted. The money allocated for these projects is missing.

Thanks to the good work of Special Inspector General Bowen, the American criminal justice system is going to hold at least a few people accountable.

Unfortunately, because of poor recordkeeping, there may be no way now to trace and recover all of the billions of dollars that have disappeared in Iraq.

But where we can track fraud and overbilling to specific companies, why would we give more money to these same offenders?

This week, the President sent Congress a budget proposal for next year that cuts Medicare, Medicaid, student loans, veterans' health, and many other vital programs America depends on.

I am deeply concerned about the deficits that have built up under this President. In 5 years, we've gone from a \$5 trillion projected surplus to multi-trillion dollar projected deficits as far as the eye can see. We must restore fiscal sanity to the Federal budget. But before we cut health care for seniors and veterans or student loans, we should cut out the waste, fraud, and abuse in Federal reconstruction contracts.

We must ensure that reconstruction dollars meant to help Katrina victims rebuild their lives are not diverted to irresponsible contractors seeking to pad their bottom lines. Whether the work is done in Iraq or in Louisiana, Alabama, or Mississippi, there must be honesty, transparency, and accountability.

General John Abizaid, the commander of the U.S. Central Command, has said that the key to military success in Iraq "is whether we can learn from our mistakes."

Five months ago, when the President addressed the Nation from Jackson Square in New Orleans, he said, "Americans have every right to expect a more effective response in a time of emergency. When the federal government fails to meet such an obligation, I, as President, am responsible for the problem, and for the solution. This government will learn the lessons of Hurricane Katrina."

This is the test. If we are serious about correcting mistakes, there must be accountability. We cannot reward companies that have cheated the American people with even more taxpayer dollars, with little or no oversight. Our troops who are risking their lives deserve better. Our fellow American citizens who are struggling to rebuild their lives and communities in the gulf coast deserve better. And the American taxpayers who are paying the bills deserve better.

We have the biggest economy in the world. We don't need to rely on just a few privileged firms to do America's work. We don't need over-billers, underperformers, chiselers, and cheats to do America's work.

America's work and American taxpayer dollars should go to companies that believe in accountability, responsibility, and honest work for an honest dollar.

There are countless firms that fit that bill—in the gulf coast region, in Illinois, and across America. By weeding out companies that have cheated taxpayers, my bill will assure that those hard-working firms have a fair shot to compete for Federal reconstruction dollars in Iraq and at home.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reconstruction Accountability and Fraud Prevention Act of 2005".

SEC. 2. ACCOUNTABILITY IN FEDERAL CONTRACTING.

(a) IN GENERAL.—Except as provided in subsection (b), none of the funds appropriated or otherwise made available by the Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005 (Public Law 109-61), by the Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005 (Public Law 109-62), or through the Iraq Relief and Reconstruction Fund may be obligated or expended in connection with a contract or covered task order entered into after the date of the enactment of this Act with a contractor that, during the previous 5 years—

(1) has been found by an executive agency or any Inspector General to have overcharged or improperly billed the Federal Government by a total of at least \$10,000,000 through one or more overcharges;

(2) has been found by an executive agency or any Inspector General to have committed one or more fraudulent acts resulting in total costs or losses to the Federal Government of at least \$10,000,000; or

(3) has been suspended or debarred for a period of at least one year under the Federal suspension and debarment regulations.

(b) NATIONAL SECURITY WAIVER.—The President may waive the restrictions under subsection (a) on a case-by-case basis if the President determines that such waiver is in the national security interest of the United States and submits to the appropriate congressional authorities a report describing the reasons for such determination.

(c) DEFINITIONS.—In this Act:

(1) APPROPRIATE CONGRESSIONAL AUTHORITIES.—The term "appropriate congressional authorities" means—

(A) the Majority Leader and the Minority Leader of the Senate;

(B) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(C) the Committees on Appropriations of the Senate and the House of Representatives.

(2) COVERED TASK ORDER.—The term "covered task order" means a task order valued at more than \$10,000,000 entered into pursuant to a contract entered into before the date of the enactment of this Act.

(3) EXECUTIVE AGENCY.—The term "executive agency" has the meaning given that term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

By Mr. COCHRAN (for himself,
Mr. FRIST, and Mr. LEAHY):

S.J. Res. 29. A joint resolution providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. COCHRAN (for himself,
Mr. FRIST, and Mr. LEAHY):

S.J. Res. 30. A joint resolution providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

Mr. COCHRAN. Mr. President, I am pleased to introduce two joint resolutions appointing two individuals to the Smithsonian Board of Regents. The joint resolutions are cosponsored by Senators FRIST and LEAHY. Alan Spoon and Phillip Frost have been approved and recommended for appointment by the Smithsonian Board of Regents. I ask unanimous consent that the text of the resolutions and the biographies of both gentlemen be printed in the RECORD. I ask the Senate to approve the resolutions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Alan G. Spoon, Appointed 2000, Executive Committee, Chair, Finance and Investment Committee.

Alan G. Spoon, of Massachusetts, is Managing Partner of Polaris Venture Partners, which invests in Internet-related businesses, networking, biotechnology, and medical technology. He was previously President of the Washington Post Company, having served 18 years in various leadership roles. He maintains leadership and advisory roles with numerous companies and organizations in the technology, communications, and financial industries.

S.J. RES. 29

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Alan G. Spoon of Massachusetts, is filled by reappointment of the incumbent for a term of 6 years. The reappointment shall take effect on the date of enactment of this joint resolution.

Phillip Frost

Chairman of the Board and CEO, Ivax Corporation, Miami Beach, FL

Nationally recognized for his creative enterprise, business and marketing acumen, and generous support of education and the arts, Phillip Frost has held leadership positions with numerous corporations and organizations. Born in Philadelphia, where his family lived above his father's shoe store, Dr. Frost worked at a brother's hardware store before heading to the University of Pennsylvania. There Dr. Frost majored in French literature and spent one year studying at the University of Paris, a seminal period that led to Dr. Frost's life-long commitment to the arts. He and his wife, Patricia, who is chair of the Smithsonian National Board, are renowned collectors who gave their 113-piece collection of American abstract art to the Smithsonian in 1986; they also have stated their interest in exploring the possibility of providing significant support for a major exhibition on medical history at the National Museum of American History.

After receiving his B.A. from the University of Pennsylvania in 1957 and his M.D. from the Albert Einstein College of Medicine in New York in 1961, Dr. Frost completed his internship at New York's Montefiore Hospital and his residency in dermatology at the

Hospital of the University of Pennsylvania. He then served as a lieutenant commander in the U.S. Public Health Service at the National Cancer Institute and completed a one-year senior residency at Jackson Memorial Hospital in Miami. He joined the faculty of the University of Miami School of Medicine in 1966 and then moved to Mount Sinai Medical Center of Greater Miami, chairing its Department of Dermatology from 1972 to 1990.

While at Mt. Sinai, Dr. Frost sold a disposable instrument for skin biopsies to Miles Laboratory. He and his partner in that venture then purchased Key Pharmaceuticals, which was later sold to Schering-Plough for \$600 million. Eager to explore the then-unglamorous world of generic drugs, Dr. Frost next founded IVAX Corporation, which became recognized for its consumer-directed research, development, manufacture, and marketing of pharmaceutical products worldwide. Since 1987, Dr. Frost has served as chairman of the board of directors and chief executive officer of IVAX; he also was president from 1991 to 1995. IVAX was recently acquired by TEVA Pharmaceutical Industries Ltd. and, according to published reports, Dr. Frost will receive more than \$1 billion of TEVA stock as a result of its sale.

Dr. Frost is a director of Northrop Grumman Corporation, Continucare Corporation, Cellular Technical Services Co., Inc., and Ladenburg Thalmann Financial Services Inc. He also is co-vice chairman of the American Stock Exchange's board of governors and a trustee of Scripps Research Institute and previously served as chairman of the board of directors of Key Pharmaceuticals, Inc., chairman of Whitman Education Group, Inc., and vice chairman of the board of directors of American Vaccine, Inc. In addition, Dr. Frost possesses significant fiscal experience with matters of government oversight.

Residents of Florida for over 40 years, Dr. and Mrs. Frost also have been ardent supporters of local community efforts. In addition to their commitment to the visual arts, the Frosts made a \$33 million gift to the University of Miami for its school of music (now called the Phillip and Patricia Frost School of Music), one of the largest individual gifts the university ever has received. Dr. Frost serves as campaign co-chair of the fund-raising initiative "Momentum: The Campaign for the University of Miami," having previously served as chairman of its board of trustees, and co-chaired the successful launch of the Miami Art Museum's fund-raising campaign "Art for All People." He is a former member of the Florida International University (FIU) Foundation board and the FIU board of trustees. The Patricia & Phillip Frost Art Museum at FIU is so-named as a tribute to their longstanding support; likewise, the university presented Dr. Frost with an honorary degree in 1993 for his many contributions in medicine, business, and community service. He also was named the 2001 National Ernst & Young Entrepreneur of the Year.

Since 1987, Phillip Frost has served as chairman of the board of directors and chief executive officer of Ivax Corporation, which was recently acquired by TEVA Pharmaceutical Industries Ltd.; he also was president of IVAX from 1991 to 1995. In addition, he was chairman of the Department of Dermatology at Mt. Sinai Medical Center of Greater Miami from 1972 to 1990.

Nationally recognized for his business acumen and creative enterprise, Dr. Frost has held leadership positions with numerous corporations and organizations. In addition to his management of the IVAX board of directors, he is chairman of the board of its subsidiary, IVAX Diagnostics, and director of Northrop Grumman Corporation, Contin-

care Corporation, Cellular Technical Services Co., Inc., and Ladenburg Thalmann Financial Services Inc. Dr. Frost also is co-vice chairman of the American Stock Exchange's board of governors, chairman of the board of trustees of the University of Miami, and a trustee of Scripps Research Institute. He previously served as chairman of the board of directors of Key Pharmaceuticals, Inc., chairman of Whitman Education Group, Inc., and vice chairman of the board of directors of American Vaccine, Inc.

Dr. Frost and his wife, Patricia, are ardent supporters of the arts. Sophisticated collectors of American abstract art, they gave their 113-piece collection to the Smithsonian American Art Museum in 1986. The Frost's \$33 million gift to the University of Miami for its school of music (now called the Phillip and Patricia Frost School of Music) was one of the largest individual gifts the university has ever received, and the largest ever made to a university school of music in the United States. Dr. Frost also serves as chair of the fundraising initiative "Momentum: The Campaign for the University of Miami" and has served as chair of the Miami Art Museum's fundraising campaign "Art for All People." Additionally, he is a former member of the Florida International University (FIU) Foundation board and the FIU board of trustees. FIU's Patricia & Phillip Frost Art Museum is so-named as a tribute to their longstanding support; likewise, the university presented Dr. Frost with an honorary degree in 1993 for his many contributions in medicine, business, and community service. He also was named the 2001 National Ernst & Young Entrepreneur of the Year.

A native of Philadelphia, Dr. Frost attended the University of Paris from 1955 to 1956. He received his B.A. from the University of Pennsylvania in 1957 and his M.D. from the Albert Einstein College of Medicine in New York in 1961, after which he completed his internship at New York's Montefiore Hospital and his residency in dermatology at the Hospital of the University of Pennsylvania. Following service as a lieutenant commander in the U.S. Public Health Service at the National Cancer Institute, Dr. Frost completed a one-year senior residency at Jackson Memorial Hospital in Miami. He joined the faculty of the University of Miami School of Medicine in 1966 prior his tenure at Mount Sinai Medical Center.

S.J. RES. 30

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, resulting from the retirement of Manuel L. Ibáñez, is filled by the appointment of Phillip Frost of Miami Beach, Florida. The appointment is for a term of 6 years, beginning upon the date of enactment of this joint resolution.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been rescheduled before the Committee on Energy and Natural Resources.

The hearing originally scheduled for Tuesday, February 14, 2006 at 2:30 p.m. in Room SD-366 of the Dirksen Senate

Office Building will now be held on Wednesday, February 15, 2006 at 10:30 a.m. in the same room.

The purpose of the hearing is to receive testimony regarding S. 2197, to improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and to provide support for mathematics and science education at all levels through the resources available through the Department of Energy, including at the National Laboratories.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Kathryn Clay or Steve Waskiewicz.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources on Wednesday, March 1, at 10 a.m. in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the oversight hearing is to receive testimony regarding the state of the economies and fiscal affairs in the Territories of Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Josh Johnson or Steve Waskiewicz.

AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, February 13, 2006, at 10 a.m. for a hearing titled, "Hurricane Katrina: Waste, Fraud, and Abuse Worsen the Disaster."

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. KYL. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be authorized to meet on Monday, February